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Date: _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): O'NEILL and REHBERGER

Art Unit: 1651

Serial No. 09/912,049

Examiner: Irene Marx

Filed: July 24, 2001

Attorney Docket No. 362.003

For: *Direct-Fed Microbial*

STATEMENT UNDER MPEP §2406.02

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The undersigned hereby states the following.

1. Biological material was deposited at the ATCC under ATCC Accession Nos. ATCC PTA-5271 (P169) and ATCC PTA-5272 (P170).
2. The biological material that was deposited under ATCC Accession Nos. ATCC PTA-5271 (P169) and ATCC PTA-5272 (P170) are biological materials specifically identified in the application (the filing date of which is relied upon) as filed.
3. I am in a position to corroborate that the biological material which was deposited is a biological material specifically identified in the application (the filing date of which is relied upon) as filed because I personally made the deposit to the ATCC.

Marianne Bellot, Laboratory Manager

MAR 01 2004